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Vol. 77 Page 16189

BEFORE THE HEARINGS OFFICER
KLAMATH COUNTY, OREGON

In the Matter of Request for
Conditional Use Permit 77-7 for
Ron Routhier, Applicant

Klamath County Planning
FINDINGS OF FACT AND ORDER

A hearing was held in this matter at Klamath Falls, Oregon, on August 10, 1977, pursuant to notice given in conformity with Ordinance No. 35, Klamath County, before Klamath County Hearings Officer, Jim Spindor. The applicant was present. The Klamath County Planning Department was represented by Wayne Sorensen and Carl Shuck. The Hearings Reporter was Isabel Rodriguez.

Evidence was presented on behalf of the Department and on behalf of the applicant. There were several adjacent property owners present who stated they had objections to the proposed Conditional Use Permit requested by the applicant.

The following Exhibits were offered, received and made a part of the record:

Klamath County Exhibit A, the Staff Report

Klamath County Exhibit B, photos of the subject property

Klamath County Exhibit C, a Klamath County Assessor's map of the subject property

Klamath County Exhibit D, a Klamath County Zoning map of the subject property

Klamath County Exhibit E, Mailing Notices

Applicant's Exhibit 1, folder consisting of various maps and letters

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1 The hearing was then closed and based upon the evidence
2 submitted at the hearing, the Hearings Officer made the following
3 findings of fact:

4 FINDINGS OF FACT:

- 5 1. The site for the proposed use is adequate in size
6 and shape to house the proposed activity.
- 7 2. The site for the proposed use does not have adequate
8 access to the streets and highways to carry the traffic flow which
9 would be generated by the proposed use. Applicant testified that the
10 proposed use could draw from 200 to 500 persons to this site. The
11 letter from Klamath County Engineer, Earl Kessler, presented by the
12 applicant, stated the particular road in question is a farm to
13 market road that adequately handles present traffic and could handle
14 "some increases". Residents of the surrounding area testified that
15 the streets and highways in the area are not sufficient to handle
16 the excess traffic which would be generated by the proposed use.
- 17 3. There would be a public convenience served by the
18 proposed use; several citizens testified to the need of a racetrack
19 for cars and motorcycles, while no one contested this fact.
- 20 4. The proposed use would have an adverse effect on
21 abutting property and the permitted uses thereof. Many persons,
22 including abutting property owners and persons living in the
23 surrounding area testified in objection to the granting of the
24 permit. The evidence shows that the proposed use would have the
25 following adverse effects on abutting property owners and the
26 surrounding area:
- 27 A. The noise created by the proposed use would have
28 irreparable adverse effect on the livestock of
abutting and nearby land owners.

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1 B. The flow of persons the proposed use would bring
2 to the area would create an adverse effect with
3 regard to litter and vandalism.

4 C. Wildlife in the surrounding area would be adversely
5 effected.

6 D. The noise and dust created by the proposed use
7 would have adverse effect on the surrounding
8 property owners' use and enjoyment of their property.

9 5. The proposed use is not compatible to surrounding
10 areas as is evidenced by the testimony of persons who reside in the
11 surrounding area.

12 The Hearings Officer, based on the foregoing Findings of
13 Fact accordingly orders as follows:

14 That real property described as the

15 "Land lying south and abutts the Bonanza-
16 Malin Highway approximately two miles
southwest of the town of Bonanza."

17 is hereby denied a Conditional Use Permit in accordance with the
18 terms of the Klamath County Zoning Ordinance No. 17 and henceforth
19 will not be allowed the placement of a motorcycle racetrack on the
20 above described property.

21 Entered at Klamath Falls, Oregon, this 30th day
22 of August, 1977.

23
24 KLAMATH COUNTY HEARINGS DIVISION

25 By [Signature]
26 Hearings Officer
27
28



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Klamath County ~ Planning Department

COURTHOUSE — 503-882-2501, Ext. 285 — KLAMATH FALLS, OREGON 97601

IN THE MATTER OF
MAILING NOTICES FOR

Ron Routhier

AFFIDAVIT OF MAILING

STATE OF OREGON
County of Klamath

I, Isabel Rodriguez, being first duly sworn, depose and say that I am an employee of the Klamath County Planning Department, and that on the Aug 31, 1977, I did deposit in the U.S. postal system 27 copies of said MAILING NOTICE, a copy of same being attached hereto, in a sealed envelope addressed to those individuals on the mailing list attached hereto.

Isabel Rodriguez

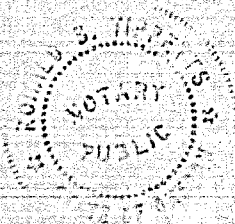
SUBSCRIBED and sworn to before me this 31st day of

August 19 77.

Ronald B. Suppello
NOTARY PUBLIC FOR OREGON

My commission expires

6/9/81



WE ARE AN EQUAL OPPORTUNITY EMPLOYER

ORDERS sent to the following:

16193

James L. Huntsman
Route 1 Box 207
Bonanza, OR 97623

Walter A. Firestone
Box 216
Bonanza, OR 97623

Elso De Jong
Route 1 Box 202
Bonanza, OR 97623

Eddie E. Meeker
Route 2 Box 789
Klamath Falls, OR 97601

William M. Kennedy
Route 2 Box 796-C
Klamath Falls, OR 97601

Thomas W. Greisamier
Route 1, Box 205
Bonanza, OR 97623

William Halsey, Jr.
P.O. Box 92
Bonanza, OR 97623

Dale Hemelwright
1917 Crest Street
Klamath Falls, OR 97601

Ralph C. Williams
3915 Grenada Way
Klamath Falls, OR 97601

Charles V. Higbee
Route 2 Box 797-H
Klamath Falls, OR 97601

Christine Y. Hankins
Route 1 Box 221
Bonanza, OR 97623

Mrs. Elizabeth Robertson
Route 1 Box 207
Bonanza, OR 97623

County Clerk
Courthouse
Klamath Falls, OR 97601

Maj. Robert C. Callom
Route 1 Box 209
Bonanza, OR 97623

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P.O. Box 1257
Klamath Falls, OR 97601

R. M. Ketcham
Route 1 Box 203
Bonanza, OR 97623

Wanda L. Carr
Route 1, Box 206
Bonanza, OR 97623

Rick Depaoli
Route 1 Box 4A
Lakeview, OR 97630

Barry D. Stallip
B.L.M.
357 "L" Street
Lakeview, OR 97630

Don R. Stonehill
5499 Vi-la Drive
Klamath Falls, OR 97601

W. D. Bohannan
Pacific Gas Transmission Co.
P. O. Box 547
Redmond, OR 97756

Ron A. Routhier
P. O. Box 114
Bonanza, OR 97623

Board of Commissioners
Courthouse Annex
Klamath Falls, OR 97601

Assessor's Office
Courthouse Annex
Klamath Falls, OR 97601

Treasurer's Office
Courthouse Annex
Klamath Falls, OR 97601

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 31st day of
AUGUST A.D., 19 77 at 4:28 o'clock P.M., and duly recorded in Vol. M77,
of DEEDS on Page 16189.

FEE NONE

WM. D. MILNE, County Clerk
By [Signature] Deputy